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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 25

DRAFT PROVISIONAL AGENDA
FOR THE FIFTY-FIRST SESSION OF THE COMMISSION

Note by the Secretary-General

The following draft provisional agenda for the fifty-first session of the Commission is submitted in accordance with the provisions of paragraph 3 of Economic and Social Council resolution 1894 (LVII) and includes an indication for each item of the documents to be prepared in implementation of the relevant Commission decisions. If necessary, the draft provisional agenda will be amended in the light of any decisions which the Commission may take after the preparation of this document.

XXV. DRAFT PROVISIONAL AGENDA FOR THE FIFTY-FIRST SESSION
OF THE COMMISSION

1. Election of officers.
2. Adoption of the agenda.
3. Organization of the work of the session.

Legislative authority: relevant resolutions and decisions of the General Assembly, the Economic and Social Council and the Commission.

Documentation:

Report of the independent expert on the situation of human rights in Guatemala (paragraphs 21 and 22 of resolution 1994/58), to be considered under the item "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories" or the item "Advisory services in the field of human rights".

4. Question of the violation of human rights in the occupied Arab territories, including Palestine.

Legislative authority: Commission resolutions 1994/2 and 1994/3 A and B.

Documentation:

- (a) Report of the Special Rapporteur (paragraph 4 of resolution 1993/2 A);
- (b) Reports of the Secretary-General (paragraph 6 of resolution 1994/2, paragraph 5 of resolution 1994/3 A and paragraph 5 of resolution 1994/3 B);
- (c) List of United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation (paragraph 6 of resolution 1994/3 A).

5. Violations of human rights in southern Africa: report of the Ad Hoc Working Group of Experts.

Legislative authority: Commission resolution 1994/10.

Documentation:

Final report of the Ad Hoc Working Group of Experts (paragraph 29).

6. Monitoring and assisting the transition to democracy in South Africa.

Legislative authority: Commission resolution 1994/8.

Documentation:

Report of the Special Rapporteur (paragraphs 7 and 10).

7. Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights, including: problems related to the right to enjoy an adequate standard of living; foreign debt, economic adjustment policies and their effects on the full enjoyment of human rights and, in particular, on the implementation of the Declaration on the Right to Development.

Legislative authority: Commission resolutions 1994/11, 1994/12, 1994/20 and 1994/65.

Documentation:

Report of the Secretary-General (paragraph 6 of resolution 1994/11).

8. Question of the realization of the right to development.

Legislative authority: Commission resolution 1994/21.

Documentation:

(a) Report of the Working Group on the Right to Development (paragraph 16).

(b) Report of the Secretary-General (paragraph 17).

9. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation.

Legislative authority: Commission resolutions 1994/5, 1994/6 and 1994/7.

Documentation:

- (a) Report of the Secretary-General (paragraph 3 of resolution 1994/5);
- (b) Report of the Special Rapporteur on mercenaries (paragraph 5 of resolution 1994/7).

10. Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

- (a) Torture and other cruel, inhuman or degrading treatment or punishment;
- (b) Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- (c) Question of enforced or involuntary disappearances;
- (d) Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Legislative authority: Commission resolutions 1994/30, 1994/31, 1994/32, 1994/33, 1994/34, 1994/35, 1994/36, 1994/37, 1994/38, 1994/39, 1994/40, 1994/41, 1994/42 and 1994/43.

Documentation:

- (a) Reports of the Secretary-General (paragraph 12 of resolution 1994/30, paragraph 6 of resolution 1994/31);
- (b) Report of the Working Group on Arbitrary Detention (paragraph 19 of resolution 1994/32);
- (c) Report of the Special Rapporteur on the right to freedom of opinion and expression (paragraph 16 of resolution 1994/33).
- (d) Report of the Secretary-General on the operations of the United Nations Voluntary Fund for Victims of Torture (paragraph 6 of resolution 1994/36);
- (e) Report of the Special Rapporteur on the question of torture (paragraph 20 of resolution 1994/37);
- (f) Report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (paragraph 9 of resolution 1994/38);
- (g) Report of the Working Group on Enforced or Involuntary Disappearances (paragraph 24 of resolution 1994/39);

- (h) Report of the working group on the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (paragraph 2 of resolution 1994/40);
- (i) Report of the Special Rapporteur on the independence and impartiality of the judiciary (paragraph 5 of resolution 1994/41);
- (j) Updated report of the Secretary-General on the situation of United Nations staff members, experts and their families detained, imprisoned, missing or held in a country against their will, and on the implementation of resolution 1994/42 (paragraph 10);
- (k) Annual report of the Special Rapporteur on human rights and states of emergency (draft decision ... recommended to the Economic and Social Council for adoption (resolution 1994/43));

11. Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission:

- (a) Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms;
- (b) National institutions for the promotion and protection of human rights;
- (c) Coordinating role of the Centre for Human Rights within the United Nations bodies and machinery dealing with the promotion and protection of human rights;
- (d) Human rights, mass exoduses and displaced persons.

Legislative authority: Commission resolutions 1994/45, 1994/46, 1994/47, 1994/48, 1994/49, 1994/50, 1994/51, 1994/52, 1994/53, 1994/54, 1994/55, 1994/56, 1994/66, 1994/68 and 1994/97.

Documentation:

- (a) Report of the Secretary-General on the state of regional human rights arrangements (paragraph 15 of resolution 1993/51);
- (b) Report of the Special Rapporteur on violence against women (paragraph 6 of resolution 1994/45);
- (c) Report of the Secretary-General on unilateral coercive measures (paragraph 6 of resolution 1994/47);
- (d) Report of the Secretary-General on regional arrangements in the Asian and Pacific region (paragraph 15 of resolution 1994/48);

- (e) Report of the Secretary-General on human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS) (paragraph 11 of resolution 1994/49);
 - (f) Report of the Secretary-General on public information activities (paragraph 12 of resolution 1994/52);
 - (g) Note by the Secretary-General on human rights and thematic procedures (paragraph 13 of resolution 1994/53);
 - (h) Report of the Secretary-General on national institutions for the promotion and protection of human rights (paragraph 11 of resolution 1994/54);
 - (i) Report of the Secretary-General on human rights and mass exoduses (paragraph 15 of resolution 1994/66);
 - (j) Annual report of the representative of the Secretary-General on internally displaced persons (paragraph 15 of resolution 1994/68);
12. Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:
- (a) Question of human rights in Cyprus;
 - (b) Study of situations which appear to reveal a consistent pattern of gross violations of human rights as provided in Commission resolution 8 (XXIII) and Economic and Social Council resolutions 1235 (XLII) and 1503 (XLVIII): report of the Working Group on Situations established by Economic and Social Council resolution 1990/41 of 25 May 1990.

Legislative authority: Commission resolutions 1994/70, 1994/71, 1994/72, 1994/73, 1994/74, 1994/75, 1994/77, 1994/78, 1994/79, 1994/80, 1994/81, 1994/82, 1994/83, 1994/84, 1994/85, 1994/86, 1994/87, 1994/88 and 1994/89 and decision 1994/110.

Documentation:

- (a) Report of the Secretary-General on reprisals against those cooperating with representatives of United Nations human rights bodies (paragraph 6 of resolution 1994/70);
- (b) Report of the Special Rapporteur on the situation of human rights in Cuba (paragraph 11 of resolution 1994/71);
- (c) Reports of the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia (paragraph 37 of resolution 1994/72);

- (d) Report of the Special Representative on the situation of human rights in the Islamic Republic of Iran (paragraph 13 of resolution 1994/73);
- (e) Reports of the Special Rapporteur on the situation of human rights in Iraq (paragraph 14 of resolution 1994/74);
- (f) Report of the Secretary-General on the situation of human rights in Bosnia and Herzegovina (paragraph 11 of resolution 1994/75);
- (g) Report of the Secretary-General on the situation of human rights in Togo (paragraph 9(b) of resolution 1994/78);
- (h) Report of the Special Rapporteur on the situation of human rights in the Sudan (paragraph 16 of resolution 1994/79);
- (i) Final report of the Special Rapporteur on the situation of human right in Haiti (paragraph 13 of resolution 1994/80);
- (j) Report of the Special Rapporteur on summary or arbitrary executions (paragraph 5 of resolution 1994/82);
- (k) Report of the Secretary-General on the situation of human rights in Southern Lebanon (paragraph 6(b) of resolution 1994/83);
- (l) Report of the Special Rapporteur on the situation of human rights in Afghanistan (paragraph 23 of resolution 1994/84);
- (m) Report of the Special Rapporteur on the situation of human rights in Myanmar (paragraph 20 of resolution 1994/85);
- (n) Report of the Secretary-General on situation of human rights in Burundi (paragraph 9 of resolution 1994/86);
- (o) Report of the Special Rapporteur on situation of human rights in Zaire (paragraph 9 of resolution 1994/87);
- (p) Report of the Special Rapporteur on the situation of human rights in Equatorial Guinea (paragraph 13 of resolution 1994/89);
- (q) Report of the Secretary-General on the question of human rights in Cyprus (decision 1994/110);
- (r) Report of the Secretary-General on East Timor (statement agreed by consensus by the Commission, made by the Chairman on 9 March 1994).

13. Measures to improve the situation and ensure the human rights and dignity of all migrant workers.

Legislative authority: Commission resolution 1994/17.

Documentation:

Report of the Secretary-General on the status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (paragraph 6).

14. Human rights and scientific and technological developments.

Legislative authority: Commission resolutions 1993/90, 1993/91 and decision 1993/113.

Documentation:

- (a) Report of the Secretary-General on human rights and bioethics (paragraph 4 of resolution 1993/91);
- (b) Report of the Secretary-General on the follow-up to the guidelines for the regulation of computerized personal data files (decision 1993/113).

15. Implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid.

Legislative authority: Commission resolution 1993/10.

Documentation:

Report of the Group of Three

16. Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination.

Legislative authority: Commission resolutions 1994/9 and 1994/64.

Documentation:

- (a) Analytical report of the Secretary-General (paragraph 22 of resolution 1994/9);
- (b) Report of the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance (paragraph 4 of resolution 1994/64).

17. Status of the International Covenants on Human Rights.

Legislative authority: Commission resolutions 1994/15 and 1994/16.

Documentation:

- (a) Report of the Secretary-General (paragraph 17 of resolution 1994/15);
- (b) Report of the Secretary-General (paragraph 5 of resolution 1994/16).

18. Effective functioning of bodies established pursuant to United Nations human rights instruments.

Legislative authority: Commission resolution 1994/19 and 1994/97.

Documentation: Report of the Secretary-General (paragraph 8(a)).

19. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-sixth session.

Legislative authority: Commission resolution 1994/23 and decision 1993/103.

Documentation: Report of the Chairman of the Sub-Commission (paragraph 14 of resolution 1994/23).

20. Rights of persons belonging to national or ethnic, religious and linguistic minorities.

Legislative authority: Commission resolution 1994/22.

Documentation:

Report of the Secretary-General (paragraph 12).

21. Advisory services in the field of human rights.

Legislative authority: Commission resolutions 1994/57, 1994/58, 1994/59, 1993/85, 1994/60, 1994/61, 1994/62 and 1994/69.

Documentation:

- (a) Report of the Secretary-General on the situation of human rights in Albania (paragraph 3(b) of resolution 1994/57);
- (b) Report of the Special Rapporteur on the assistance to Guatemala in the field of human rights (paragraph 21 of resolution 1994/58);
- (c) Report of the Independent Expert on assistance to Somalia in the field of human rights (paragraph 9 of resolution 1994/60);

- (d) Report of the Special Representative on the situation of human rights in Cambodia (paragraph 14 of resolution 1994/61);
- (e) Report of the Independent Expert on assistance to El Salvador (paragraph 12 of resolution 1994/62);
- (f) Report of the Secretary-General on the progress in the implementation of the programme of advisory services and technical assistance (paragraph 20 of resolution 1994/69);
- (g) Report of the Secretary-General on Romania (statement made by the Chairman on 9 March 1994).

22. Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Legislative authority: Commission resolution 1994/18.

Documentation:

- (a) Report of the Special Rapporteur (paragraph 23);
- (b) Report of the Secretary-General on measures to implement resolution 1994/18 (paragraph 24).

23. Drafting of a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

Legislative authority: Commission resolution 1994/96.

24. Rights of the child, including:

- (a) Status of the Convention on the Rights of the Child;
- (b) Report of the Special Rapporteur on the sale of children;
- (c) Programme of Action for the Elimination of the Exploitation of Child Labour;
- (d) Question of a draft optional protocol to the Convention on the Rights of the Child on sale of children, child prostitution and child pornography as well as the basic measures needed to its prevention and eradication.

Legislative authority: Commission resolutions 1994/90, 1994/91, 1994/92, 1994/93 and 1994/94.

Documentation:

- (a) Report of the Sub-Commission on the state of implementation of the Programme of Action for the Elimination of the Exploitation of Child Labour (paragraph 10 of resolution 1993/79);
- (b) Report of the Working Group (resolution 1994/90);
- (c) Report of the Working Group (resolution 1994/91);
- (d) Report of the Secretary-General on the status of the Convention on the Rights of the Child (paragraph 24 of resolution 1994/91);
- (e) Report of the Special Rapporteur on the sale of children (paragraph 23 of resolution 1994/92);

25. Follow-up to the World Conference on Human Rights.

Legislative authority: Commission resolution 1994/95.

Documentation:

Report of the High Commissioner for Human Rights on the follow-up to the World Conference on Human Rights (paragraph 9 of resolution 1994/96).

26. The role of youth in the promotion and protection of human rights, including the question of conscientious objection to military service.

Legislative authority: Commission resolution 1993/84.

Documentation:

Report of the Secretary-General on conscientious objection to military service (paragraph 10 of resolution 1993/84).

27. Draft provisional agenda for the fifty-second session of the Commission.

Legislative authority: Economic and Social Council resolution 1894 (LVII).

Documentation:

Note by the Secretary-General containing the draft provisional agenda for the fifty-second session of the Commission, together with information concerning documentation relating thereto.

28. Report to the Economic and Social Council on the fifty-first session of the Commission.

Legislative authority: rule 38 of the rules of procedure of the functional commissions of the Economic and Social Council.

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COMMISSION ON HUMAN RIGHTS
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Agenda item 9

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO
PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Albania*, Australia, Austria, Argentina*, Bulgaria, Colombia,
Costa Rica, El Salvador, Estonia*, Germany, Hungary, Japan,
Latvia, Netherlands, Nicaragua*, Peru, Norway*, Poland,
Romania, Russian Federation, Slovenia*, United Kingdom of
Great Britain and Northern Ireland, United States of America
and Uruguay: draft resolution

Middle East peace process

The Commission of Human Rights,

Recalling General Assembly resolution 48/58 on the Middle East Peace
Process, adopted on 14 December 1993,

Recalling also the Vienna Declaration and Programme of Action, adopted by
the World Conference on Human Rights in June 1993,

Stressing that the achievement of a comprehensive and lasting settlement of
the Middle East conflict will constitute a significant contribution to the
strengthening of international peace and security, and is an indispensable
condition for the furthering of human rights in the region,

* In accordance with rule 69, para. 3, of the rules of procedure of the
functional commissions of the Economic and Social Council.

Recalling the convening of the International Peace Conference on the Middle East at Madrid on 30 October 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the subsequent bilateral negotiations, as well as the meetings of the multilateral working groups, and noting with satisfaction the broad international support for the peace process,

Noting the continuing positive participation of the United Nations as a full extraregional participant in the work of the multilateral working groups,

Bearing in mind the Declaration of Principles on Interim Self-Government Arrangements, signed by Israel and the Palestine Liberation Organization in Washington, D.C. on 13 September 1993,

1. Stresses the importance of, and need for, achieving a comprehensive, just and lasting peace in the Middle East;
2. Emphasizes that the achievement of such a peace is vital for the full implementation of human rights in the area;
3. Welcomes the peace process started at Madrid and supports the subsequent bilateral negotiations;
4. Expresses its full support for the achievements of the peace process thus far, in particular the Declaration of Principles on Interim Self-Government Arrangements, signed by Israel and the Palestine Liberation Organization, and the Agreement between Israel and Jordan on the Common Agenda, which constitute an important initial step in achieving a comprehensive, just and lasting peace in the Middle East, and urges all parties to implement agreements reached;
5. Considers that an active United Nations role in the Middle East peace process and in assisting in the implementation of the Declaration of Principles can make a positive contribution.

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Fiftieth session
Agenda item 4

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE
OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Greece*, Ireland*, Portugal* and United Kingdom of Great Britain
and Northern Ireland: draft resolution

Israeli settlements in the occupied Arab territories

The Commission on Human Rights,

Recalling that, in accordance with article 13, paragraph 2, of the Universal Declaration of Human Rights, everyone has the right to leave any country, including his own, and to return to his country,

Reaffirming that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to Palestinian and all Arab territories occupied by Israel since 1967, including Jerusalem,

Recalling its resolutions 1990/1 of 16 February 1990, 1991/3 of 15 February 1991, 1992/3 of 14 February 1992 and 1993/3 of 19 February 1993 which, inter alia, reaffirmed the illegality of the Israeli settlements in the occupied territories,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Gravely concerned at the establishment by the Israeli Government of settlers in the occupied territories, which may change the physical character and demographic composition of the occupied territories,

Welcoming the positive development which originated with the International Peace Conference on the Middle East, convened at Madrid on 30 October 1991, including in particular the Declaration of Principles on Interim Self-Government Arrangements signed by the Israeli Government and the Palestine Liberation Organization on 13 September 1993, as well as all the efforts for the creation of a peaceful and stable environment in the Middle East,

Noting the report submitted by the Special Rapporteur pursuant to resolution 1993/2A (E/CN.4/1994/14) and referring to information provided to him on confiscation of land by the Israeli authorities before and after the signing of the Declaration of Principles on 13 September 1993,

Convinced that a complete cessation by Israel of its policy of settlement would constitute, especially at the present stage of the process, a meaningful contribution to the creation of a peaceful and stable environment,

1. Reaffirms that the installation of Israeli civilians in the occupied territories is illegal and constitutes a violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War;

2. Regrets that the Government of Israel has not fully complied with the provisions of Commission on Human Rights resolutions 1990/1, 1991/3, 1992/3 and 1993/3;

3. Urges the Government of Israel to abstain from installing any settlers in the occupied territories.

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COMMISSION ON HUMAN RIGHTS
Fiftieth session
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QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE
OCCUPIED ARAB TERRITORIES INCLUDING PALESTINE

Afghanistan*, Algeria*, Bahrain*, Cuba, India, Indonesia,
Iran (Islamic Republic of), Iraq*, Kuwait*, Lebanon*,
Libyan Arab Jamahiriya, Madagascar*, Malaysia, Mauritania,
Morocco*, Oman*, Pakistan, Qatar*, Saudi Arabia*, Senegal*,
Somalia*, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia,
United Arab Emirates*, Viet Nam* and Yemen*:
draft resolution

Human rights in the occupied Syrian Golan

The Commission on Human Rights,

Deeply concerned at the suffering of the population of the Syrian and other Arab territories occupied by Israel since 1967 and the continued Israeli military occupation, and that the human rights of the population continue to be violated,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling Security Council resolution 497 (1981) of 17 December 1981, in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel should rescind forthwith its decision,

Recalling General Assembly resolutions 36/226 B of 17 December 1981, ES-9/1 of 5 February 1982, 37/88 E of 10 December 1982, 38/79 F of 15 December 1983, 39/95 F of 14 December 1984, 40/161 F of 16 December 1985, 41/63 F of 3 December 1986, 42/160 F of 8 December 1987, 43/21 of 3 November 1988, 43/58 F of 6 December 1988, 44/2 of 6 October 1989, 45/74 F of 11 December 1990, 46/47 F of 9 December 1991, 47/70 F of 14 December 1992 and 48/41 D of 10 December 1993,

Recalling also General Assembly resolution 3414 (XXX) of 5 December 1975 and other relevant resolutions in which the Assembly, inter alia, demanded the immediate, unconditional and total withdrawal of Israel from the Arab territories occupied since 1967,

Recalling further General Assembly resolution 3314 (XXIX) of 14 December 1974, in which it defined an act of aggression,

Reaffirming once more the illegality of Israel's decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the principles of international law and under the Charter of the United Nations and the relevant resolutions of the Security Council and the General Assembly, and that all territories thus occupied by Israel must be returned,

Taking note with deep concern of the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/48/557) and, in this connection, deploring Israel's constant refusal to cooperate with and to receive the Special Committee,

Expressing its grave alarm, after considering the above-mentioned report of the Special Committee, over Israel's flagrant and persistent violations of human rights in the Syrian and other Arab territories occupied since 1967,

despite the resolutions of the Security Council and the General Assembly which repeatedly called upon Israel to put an end to such occupation,

Reaffirming its previous relevant resolutions, the most recent being resolution 1993/1 of 19 February 1993,

Guided by the relevant provisions of the Charter of the United Nations and the Universal Declaration of Human Rights and with particular reference to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the relevant provisions of the Hague Conventions of 1899 and 1907,

1. Strongly condemns Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. Condemns the persistence of Israel in changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan, and emphasizes that the displaced persons of the population of the occupied Syrian Golan must be allowed to return to their homes and to recover their properties;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Strongly condemns Israel for its attempt to impose forcibly Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and for its practices of annexation, establishment of settlements, confiscation of lands and diversion of water resources and imposing a boycott on their agricultural products; and calls upon Israel to desist from its settlement designs and policies aimed against academic institutions with the goal of serving

the objectives of occupation, and to desist from its repressive measures against the population of the occupied Syrian Golan;

5. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to in the present resolution;

6. Requests the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations and to give it the widest possible publicity, and to report to the Commission on Human Rights at its fifty-first session;

7. Decides to include in the provisional agenda of its fifty-first session, as a matter of high priority, the item entitled "Question of the violation of human rights in the occupied Arab territories, including Palestine".

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COMMISSION ON HUMAN RIGHTS
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QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED
ARAB TERRITORIES, INCLUDING PALESTINE

Algeria*, Bahrain*, China, Cuba, Indonesia, Jordan*, Malaysia,
Mauritania, Morocco*, Oman*, Pakistan, Qatar*, Saudi Arabia*,
Senegal*, Somalia*, Sri Lanka, Sudan, Tunisia, United Arab
Emirates* and Yemen*: draft resolution

A

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations,
as well as by the provisions of the Universal Declaration of Human Rights,

Guided also by the provisions of the International Covenant on Economic,
Social and Cultural Rights and the International Covenant on Civil and Political
Rights,

Taking into consideration the provisions of the Geneva Convention relative
to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the
provisions of Additional Protocol I thereto, and the Hague Convention IV of 1907,
as well as the principles of international law

* In accordance with rule 69, para. 3, of the rules of procedure of the
functional commissions of the Economic and Social Council.

affirmed by the General Assembly in its resolutions 3 (I) of 13 February 1946, 95 (I) of 11 December 1946, 260 A (III) of 9 December 1948 and 2391 (XXIII) of 26 November 1968,

Recalling the relevant Security Council resolutions,

Recalling also the General Assembly resolutions on Israeli violations of human rights in occupied Palestine, since 1967 and until now,

Recalling further the provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,

Taking note with appreciation of the report of the Special Rapporteur, Mr. René Felber, regarding his mission undertaken in accordance with Commission resolution 1993/2 A (E/CN.4/1994/14),

Taking note also of the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories submitted to the General Assembly since 1968,

Noting with great concern the continued Israeli refusal to abide by the resolutions of the Security Council, the General Assembly and the Commission on Human Rights,

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Palestine Liberation Organization and the Government of Israel on 13 September 1993, whereby violations of human rights will end through the full withdrawal of Israeli forces from the occupied Palestinian territories,

Recalling all its previous resolutions on the subject,

1. Deeply regrets the continued violations of human rights in the occupied Palestinian territory since the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Palestine Liberation Organization and the Government of Israel on 13 September 1993,

2. Condemns the continued violations of the human rights of the Palestinian people in the Palestinian territory occupied by Israel with military force, including Jerusalem, and, in particular, the opening of fire by the Israeli army and settlers on Palestinian civilians that results in killing and wounding them; the imposition of restrictive economic measures; the demolition of houses; the expropriation of houses; collective punishment; arbitrary and

administrative detention of thousands of Palestinians without trial; the confiscation of property of Palestinians; the expropriation of land; the prevention of travel; the closure of universities and schools; the perpetration of crimes of torture in Israeli prisons and detention centres; and the establishment of Israeli settlements in the occupied Palestinian territory;

3. Calls once more upon Israel, the occupying Power, to desist from all forms of violation of human rights in the Palestinian and other occupied Arab territories and to respect the bases of international law, the principles of international humanitarian law, and its commitments to the provisions of the Charter and resolutions of the United Nations;

4. Also calls upon Israel to withdraw from the Palestinian territory, including Jerusalem, and the other occupied Arab territories in accordance with the relevant resolutions of the United Nations and the Commission on Human Rights;

5. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations, to disseminate it on the widest possible scale, and to report on its implementation by the Government of Israel to the Commission on Human Rights at its fifty-first session;

6. Also requests the Secretary-General to provide the Commission on Human Rights with all United Nations reports issued between sessions of the Commission that deal with the conditions in which the citizens of the Palestinian and other occupied Arab territories are living under the Israeli occupation;

7. Decides to consider the question at its fifty-first session as a matter of priority.

B

The Commission on Human Rights,

Recalling Security Council resolutions related to the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Palestinian and other occupied Arab territories, which call for Israel's commitment to them,

Recalling all relevant General Assembly resolutions on the applicability to the occupied Palestinian territory of the Convention which urge Israel's commitment to and respect for their provisions,

Recalling also the decisions of the International Conference of the Red Cross and the International Conference for the Protection of War Victims (Geneva, 30 August - 1 September 1993) in respect of the application of the Convention in all circumstances and the statements of the International Committee of the Red Cross which condemn the continuous serious violations by Israel of the provisions of the Convention and its refusal to apply those provisions in the occupied territories,

Recalling further the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,

Taking into account that States parties to the Convention undertake, in accordance with article 1 thereof, to respect, and ensure respect for, the Convention in all circumstances,

Recalling all its previous resolutions on the subject,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and all other Arab territories occupied by Israel since 1967, including Jerusalem, and that Israel's long-standing refusal to apply the Convention to those territories had led to the perpetration by the Israeli authorities of grave violations of human rights against Palestinian citizens, and calls upon Israel to comply with its international commitments, to respect the Convention and to apply it in the occupied Palestinian territory, including Jerusalem;

2. Urges once more all States parties to the Convention to make every effort to ensure the Israeli occupation authorities' respect for and compliance with the provisions of the Convention in the Palestinian and all other Arab territories occupied by Israel since 1967, including Jerusalem, and to undertake the necessary practical measures to ensure the provision of international protection for the Palestinian people under occupation, in accordance with the provisions of article 1 and other relevant articles of the Convention;

3. Strongly condemns once more the refusal of Israel to apply the Convention to Palestine and the Arab territories occupied since 1967 and to their inhabitants, Israel's policies of perpetrating crimes of torture against Palestinian detainees and prisoners in Israeli prisons and detention camps and its continued deliberate disregard for the provisions of the Convention, in contravention of resolutions of the Security Council, the General Assembly and the Commission on Human Rights;

4. Calls upon Israel to allow those who have been deported since 1967 to return to their homeland without delay in implementation of the resolutions of the Security Council, the General Assembly and the Commission on Human Rights;

5. Requests the Secretary-General to bring the present resolution to the attention of the Government of Israel and all other Governments, the competent United Nations organs, the specialized agencies, regional intergovernmental organizations, international humanitarian organizations and non-governmental organizations, and to report on progress in its implementation by the Government of Israel to the Commission on Human Rights at its fifty-first session;

6. Decides to consider the question at its fifty-first session as a matter of high priority.

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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 9

THE RIGHT OF THE PEOPLES TO SELF-DETERMINATION
AND ITS APPLICATION TO PEOPLES UNDER COLONIAL
OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Algeria*, Bahrain*, China, Cuba, Indonesia, Jordan*, Malaysia,
Mauritania, Morocco*, Oman*, Pakistan, Qatar*, Saudi Arabia*,
Senegal*, Somalia*, Sudan, Tunisia, United Arab Emirates*,
and Yemen*: draft resolution

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

GE.94-10893 (E)

Situation in occupied Palestine

The Commission on Human Rights,

Guided by the purposes and principles of the Charter of the United Nations, in particular the provisions of Articles 1 and 55 thereof, which affirm the right of peoples to self-determination, and scrupulous respect of the principle of refraining in international relations from the threat or use of force, as specified in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States adopted by the General Assembly in its resolution 2625 (XXV) of 24 October 1970, in accordance with the Charter of the United Nations,

Guided also by the provisions of article 1 of the International Covenant on Economic, Social and Cultural Rights and article 1 of the International Covenant on Civil and Political Rights, which affirm that all peoples have the right of self-determination,

Taking into consideration the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples adopted by the General Assembly in its resolution 1514 (XV) of 14 December 1960,

Guided by the provisions of the Vienna Declaration and Programme of Action adopted by the United Nations World Conference on Human Rights on 25 June 1993, and in particular Part I, paragraphs 2 and 3 relating to the right of self-determination of all peoples and especially those subject to foreign occupation,

Noting Security Council resolutions 183 (1963) of 11 December 1963 and 218 (1965) of 23 November 1965, which affirmed the interpretation of the principle of self-determination as laid down in General Assembly resolution 1514 (XV),

Recalling General Assembly resolutions 181 A and B (II) of 29 November 1947 and 194 (III) of 11 December 1948, as well as all other resolutions which confirm and define the inalienable rights of the Palestinian people, particularly their right to self-determination without external interference and to the establishment of their independent State on their national soil, especially Assembly resolutions ES-7/2 of 29 July 1980 and 37/86 E of 20 December 1982,

Reaffirming its previous resolutions in this regard,

Bearing in mind the reports and recommendations of the Committee on the Exercise of the Inalienable Rights of the Palestinian People which, from 1976 to 1993, have been submitted to the Security Council through the General Assembly,

Reaffirming the right of the Palestinian people to self-determination in accordance with the Charter of the United Nations, the relevant United Nations resolutions and declarations, and the provisions of international covenants and instruments relating to the right to self-determination as an international principle and as a right of all peoples in the world,

Expressing its grave concern at the persistence of Israel in preventing by force the Palestinian people from enjoying their inalienable rights, in particular their right to self-determination,

Recalling that the foreign occupation by the armed forces of a State of the territory of another State constitutes an obstacle and a grave violation of human rights according to part I, paragraph 30 of the Vienna Declaration and Programme of Action and an act of aggression and a crime against the peace and security of mankind, according to General Assembly resolution 3314 (XXIX) of 14 December 1974,

Expressing its grave concern that no just solution has been achieved to the problem of Palestine, which has constituted the core of the Arab-Israeli conflict since 1948,

Welcoming the Declaration of Principles on Interim Self-Government Arrangements signed by the Palestine Liberation Organization and the Government of Israel on 13 September 1993, aimed at enabling the Palestinian people to achieve their national rights and, principally, their right to self-determination free of external intervention,

1. Reaffirms the inalienable right of the Palestinian people to self-determination without external interference;

2. Calls upon Israel to comply with its obligations under the Charter of the United Nations and the principles of international law and to withdraw from the Palestinian and other Arab territories which it has occupied since 1967 by military force, including Jerusalem, in accordance with the relevant United

Nations resolutions, so as to enable the Palestinian people to exercise their universally recognized right of self-determination;

3. Requests the Secretary-General to transmit the present resolution to the Government of Israel and to all other Governments, to distribute it on the widest possible scale and to make available to the Commission on Human Rights, prior to the convening of its fifty-first session, all information pertaining to the implementation of the present resolution by the Government of Israel;

4. Decides to include in the provisional agenda for its fifty-first session the item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation" and to consider the situation in occupied Palestine under that item, as a matter of high priority.

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page 1

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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 9

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES
UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Draft resolution submitted by the Chairman

Question of Western Sahara

The Commission on Human Rights,

Having considered the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its earlier resolutions, the latest of which is resolution 1993/17 of 26 February 1993,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y Río de Oro to the proposals of the Secretary-General of the United Nations and the current Chairman of the Conference of Heads of State and Government of the Organization of African Unity, in the framework of their joint mission of good offices,

Recalling further Security Council resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991 and 725 (1991) of 31 December 1991 relating to the question of Western Sahara,

Recalling with satisfaction the entry into force of the cease-fire in Western Sahara on 6 September 1991, in accordance with the proposal of the Secretary-General accepted by both parties,

Taking note of the adoption of resolution 809 (1993) by the Security Council on 2 March 1993,

Noting the letter dated 4 August 1993 from the President of the Security Council addressed to the Secretary-General (S/26239),

Considering that the holding of talks between the two parties in Laayoune from 17 to 19 July 1993 is a positive development,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/48/23 (Part V), chapter IX),

Having also examined the report of the Secretary-General (A/48/426),

1. Takes note with appreciation of the report of the Secretary-General;
2. Pays tribute to the Secretary-General and his Special Representative for their action with a view to settling the question of Western Sahara through the implementation of the settlement plan;
3. Reaffirms its support for the efforts which the Secretary-General will continue to make for the organization and supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in accordance with resolutions 658 (1990) and 690 (1991), in which the Security Council adopted the settlement plan for the question of Western Sahara;
4. Endorses the content of the letter dated 4 August 1993 (S/26239) from the President of the Security Council addressed to the Secretary-General, in which the members of the Security Council among other things fully support the Secretary-General's efforts to make early progress on the preparations for holding the referendum in accordance with Council resolution 809 (1993), note

that the Identification Commission has begun preparatory work, welcome the reaffirmation by the two parties of their commitment to the implementation of the peace plan in its entirety, and, in particular, their encouraging responses to his compromise proposal concerning the interpretation and application of the criteria, and share the Secretary-General's hope that direct talks between the two parties will soon resume;

5. Recalls that the General Assembly has requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the ongoing referendum process, and to report thereon to the Assembly at its forty-ninth session;

6. Decides to follow the development of the situation in Western Sahara and to consider the question at its fifty-first session, as a matter of high priority, under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,
INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Argentina*, Australia, Austria, Barbados, Bulgaria, Canada,
Chile, Colombia, Costa Rica, Denmark*, Finland, Germany,
Kenya, Madagascar*, Netherlands, New Zealand*, Norway*, Peru,
Poland, Sweden* and Switzerland*: draft resolution

Integrating the rights of women into the human rights
mechanisms of the United Nations

The Commission on Human Rights,

Recalling its resolution 1993/46 on integrating the rights of women into the human rights mechanisms of the United Nations, in which it decided to consider the appointment of a special rapporteur on violence against women at its fiftieth session,

(Resolution 1993/46 op para. 6)

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Also recalling that the World Conference on Human Rights welcomed the decision of the Commission on Human Rights to consider the appointment of the Special Rapporteur on violence against women at its fiftieth session,

(Vienna Declaration part III, para. 40)

Welcoming the adoption by the General Assembly in its resolution 48/104 of 20 December 1993 of the Declaration on the Elimination of Violence Against Women, which recognizes that violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms, and expresses concern about the long-standing failure to protect and promote these rights and freedoms in relation to violence against women,

(Drawn from 48/104, preambular para. 5)

Deeply concerned at continuing and endemic violence against women, and noting that the Declaration on the Elimination of Violence Against Women sets out various forms of physical, sexual and psychological violence against women,

(Drawn from 48/104, Preambular 11 and Declaration on Violence, art. 2)

Mindful that the Vienna Declaration and Programme of Action affirmed that gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person and must be eliminated,

(Vienna Declaration part I, para. 18)

Alarmed by the marked increase in acts of sexual violence directed notably against women and children, as expressed in the Final Declaration of the International Conference for the Protection of War Victims (Geneva, 30 August - 1 September 1993), and reiterating that such acts constitute grave breaches of international humanitarian law,

Recalling the inclusion of rape in the mandate of the international war crimes tribunal established to prosecute serious violations of international humanitarian law, including war crimes and crimes against humanity,

Bearing in mind that the Vienna Declaration and Programme of Action calls for action to integrate the equal status and human rights of women into the mainstream of United Nations system-wide activity, stresses the importance of

working towards the elimination of violence against women in public and private life and urges the eradication of all forms of discrimination against women,

Recalling the outcome of the World Conference on Human Rights as reflected in the Vienna Declaration and Programme of Action, which affirmed that the human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights and that the full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on the grounds of sex are priority objectives of the international community,

(Vienna Declaration, part I, para. 18)

Also recalling that the Vienna Declaration and Programme of Action affirmed that the human rights of women should form an integral part of United Nations human rights activities, including the promotion of all human rights instruments as they relate to women, and urged Governments, institutions, intergovernmental and non-governmental organizations to intensify their efforts for the protection and promotion of the human rights of women and the girl child,

(Vienna Declaration, part I, para. 18)

Bearing in mind that the Programme of Action for the equal status and human rights of women adopted in the Vienna Declaration sets out a series of measures to be taken to further the full and equal enjoyment by women of all human rights as a priority for Governments and the United Nations, and recognizing the importance of the integration and the full participation of women as both agents and beneficiaries in the development process,

(Vienna Declaration, part II, para. 36)

Welcoming the report of the Secretary-General (E/CN.4/1994/34) submitted in response to the request contained in resolution 1993/46 to consult with all United Nations human rights bodies, including the treaty bodies, on the implementation of the resolution and in particular the action taken to create a focal point in the Centre for Human Rights for the human rights of women,

(Resolution 1993/46, op para. 7)

Considering that the Vienna Declaration and Programme of Action called on the United Nations to encourage the goal of universal ratification by all

States of the Convention on the Elimination of All Forms of Discrimination against Women by the year 2000 and to avoid, as far as possible, the resort to reservations,

(Drawn from the Vienna Declaration, part III, para. 39 and Vienna Declaration, part I, para. 26)

Reaffirming that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments,

Looking forward to the Fourth World Conference on Women: Action for Equality, Development and Peace to be held in Beijing in 1995, and urging that human rights of women should play an important role in its deliberations,

Recognizing the important role of the women's movement and of non-governmental organizations in promoting the human rights of women,

(Drawn from Violence Declaration, art. 4 (o))

1. Condemns all acts of gender-based violence and other violations of the human rights of women;

(Vienna Declaration, part II, para. 38, Violence Declaration, art. 1)

2. Calls for the elimination of gender-based violence in the family, within the general community and where perpetrated or condoned by the State, and emphasizes the duty of Governments to refrain from engaging in violence against women and to exercise due diligence to prevent, investigate and take appropriate and effective action concerning acts of violence against women, whether those acts are perpetrated by the State or by private persons, and to provide access to just and effective remedies and specialized assistance to victims in accordance with the Declaration on the Elimination of Violence against Women;

(Drawn from Violence Declaration, arts. 4 (c) and (d))

3. Condemns all violations of the human rights of women in situations of armed conflict, recognizes them to be violations of international human rights and humanitarian law, and calls for a particularly effective response to violations of this kind, including in particular murder, systematic rape, sexual slavery and forced pregnancy;

(Vienna Declaration, part II, para. 38)

4. Calls for the elimination of violence against women in public and private life, of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism;

(Drawn from the Vienna Declaration, part II, para. 37)

5. Urges Governments to intensify their efforts to promote and protect the human rights of women and eliminate violence against women, in accordance with the Vienna Declaration and Programme of Action and the Declaration on the Elimination of Violence against Women, through the adoption of all appropriate means and measures, at the national, regional and international levels;

(Vienna Declaration, part I, para. 18, see also Violence Declaration, arts. 4 and 5)

6. Decides to appoint, for a three-year period, a special rapporteur on violence against women, including its causes and its consequences, who will report to the Commission on an annual basis beginning at its fifty-first session;

(Standard)

7. Invites the Special Rapporteur, in carrying out this mandate, and within the framework of the Universal Declaration of Human Rights and all other international human rights instruments including the Convention on the Elimination of All Forms of Discrimination against Women and the Declaration on the Elimination of Violence against Women, to:

(a) Seek and receive information on violence, its causes and its consequences from Governments, treaty bodies, specialized agencies, other special rapporteurs responsible for various human rights questions and intergovernmental and non-governmental organizations, including women's groups, and to respond effectively to such information;

(Drawn from mandates of Special Rapporteur on Freedom of Expression, Torture, and Arbitrary Executions)

(b) Recommend measures, ways and means, at the national, regional and international levels, to eliminate violence against women and its causes, and to remedy its consequences;

(c) Work closely with other special rapporteurs, special representatives, working groups and independent experts of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities and with the treaty bodies, taking into account the Commission's request that they regularly and systematically include in their reports available information on human rights violations affecting women, and cooperate closely with the Commission on the Status of Women in the discharge of its functions;

(Drawn from resolution 1993/46, op para. 2)

8. Requests the Chairman of the Commission, after consultation with the other members of the Bureau, to appoint as Special Rapporteur an individual of recognized international standing and experience in addressing the human rights of women;

(Standard)

9. Requests all Governments to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties mandated and to furnish all information requested;

(Standard)

10. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance, in particular the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all other treaty bodies;

(Standard)

11. Also requests the Secretary-General to ensure that the reports of the Special Rapporteur are brought to the attention of the Commission on the Status of Women to assist in the Commission's work in the area of violence against women;

12. Calls for intensified effort at the international level to integrate the equal status of women and the human rights of women into the mainstream of

United Nations system-wide activity and to address these issues regularly and systematically throughout relevant United Nations bodies and mechanisms;

(Vienna Declaration part II, para. 37, see also Violence Declaration, art. 5 (e))

13. Encourages further integration of objectives and goals between the Commission on Human Rights, the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women and other treaty bodies, the United Nations Development Fund for Women, the United Nations Development Programme and other United Nations agencies, and calls for closer cooperation and coordination between the Centre for Human Rights and the Division for the Advancement of Women;

(Resolution 1993/46, op para. 5, Vienna Declaration part II, para. 37)

14. Renews its call to Governments to include gender-disaggregated data, including information on the de jure and de facto situation of women, in the information they provide to special rapporteurs, treaty bodies and to all other United Nations bodies and mechanisms concerned with human rights, and notes that the Vienna Declaration and Programme of Action calls on all special rapporteurs, working groups, the treaty bodies and other mechanisms of the Commission and the Sub-Commission to make use of such data in their deliberations and findings;

(Drawn from resolution 1993/46, op para. 4, Vienna Declaration, part II, para. 42)

15. Renews its request to the Secretariat to ensure that special rapporteurs, experts, working groups, treaty bodies and other mechanisms of the Commission and the Sub-Commission are fully apprised of the particular human rights violations suffered by women, and noting in view of the fact that the Vienna Declaration and Programme of Action encourages training for United Nations human rights and humanitarian relief personnel to assist them to recognize and deal with the human rights violations particular to women and to carry out their work without gender bias, and requests the Centre for Human Rights to take action in this regard;

(Drawn from resolution 1993/46 op 2, op 3; Vienna Declaration, part II, para. 42)

16. Requests all special rapporteurs, experts, working groups, treaty bodies, and other mechanisms of the Commission and the Sub-Commission, in the discharge of their mandates, regularly and systematically to include in their reports available information on human rights violations against women;

(Drawn from resolution 1993/46, op 2)

17. Requests Governments and the United Nations to include in their human rights education activities information on the human rights of women;

18. Decides to continue its consideration of the question as a matter of high priority at its fifty-first session;

19. Recommends the following draft decision to the Economic and Social Council for adoption:

The Economic and Social Council, taking note of the Commission on Human Rights resolution 1994/* of _____, approves:

(a) The Commission's decision to appoint a special rapporteur on violence against women, including its causes and its consequences;

(b) The Commission's request to the Secretary-General to provide the Special Rapporteur with all necessary assistance, in particular, the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all other treaty bodies;

(c) The Commission's request to the Special Rapporteur to report to the Commission on an annual basis, beginning at its fifty-first session.

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COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 9

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO
PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Angola, Barbados, Burundi*, Cameroon, China, Colombia, Costa Rica, Cuba,
Ethiopia*, Ghana*, India, Kenya, Malawi, Mauritania, Mauritius, Nigeria,
Rwanda*, Senegal*, Sudan, Swaziland*, United Republic of Tanzania*
and Zambia*: draft resolution

Use of mercenaries as a means of impeding the exercise of
the right of peoples to self-determination

The Commission on Human Rights,

Recalling the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the sovereign equality, political independence and territorial integrity of States and the self-determination of peoples, as well as the need for scrupulous respect for the principle of the non-use of force or threat of use of force in international relations as developed in the Declaration on the Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV)),

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recognizing that mercenaries are used for activities which violate these principles,

Alarmed at the continuing trend of unlawful international activities involving mercenaries in the perpetration of violent actions inimical to the constitutional order of States,

Concerned at the grave menace that the increasing activities of mercenaries represent for many States, particularly African States,

Gravely concerned at the loss of life, the damage to property and the negative effects on the economies of affected States, in the southern African region and elsewhere,

Convinced that it is necessary to develop international cooperation among States for the prevention, prosecution and punishment of such offences,

1. Takes note with appreciation of the report of the Special Rapporteur (E/CN.4/1994/23) on the use of mercenaries and the concern expressed therein at the continuation of the activities of mercenaries despite resolution 1993/5 of 19 February 1993 of the Commission;

2. Reaffirms that the recruitment, use, financing and training of mercenaries should be considered as offences of grave concern to all States;

3. Urges all States to prevent mercenaries from using any part of their territories to destabilize or to threaten the territorial integrity of any sovereign State;

4. Calls upon all States that have not yet done so to consider taking early action to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

5. Requests the Special Rapporteur to report to the Commission at its fifty-first session on all further developments on the use of mercenaries, wherever that may occur;

6. Urges all States to cooperate with the Special Rapporteur in the fulfilment of his mandate;

7. Requests the Special Rapporteur to make specific recommendations on effective measures to combat the activities of mercenaries;

8. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance for the fulfilment of his mandate.